

14.09.2023
SL No.81
Court No.8
(gc)

**MAT 1391 of 2023
CAN 1 of 2023**

**Putul Rani Maji
Vs.
The State of West Bengal & Ors.**

Mr. Golam Mostafa,
Mr. T.S. Samanta,
...for the Appellant.

Mr. Kamal Mishra,
..for the DPSC, Purba Medinipur.

Mr. Bhaskar Prasad Vaisya,
Mr. Arindam Chattopadhyay,
...for the State.

Mr. Srikanta Dutta,
Mrs. Rituparna Sankar Dutta,
...for the Respondent No.6.

1. The affidavit of service filed in Court today is taken on record.
2. The report filed by the respondent No.4 shows that the respondent No.6 is the spouse of the deceased and she is entitled to the GPF amount. The claim of the petitioner would arise provided the wife of the deceased is not alive.
3. Under such circumstances, we do not find any reason to interfere with the order passed by the learned Single Judge.
4. Having considered the fact that she is widow, the cost portion is set aside.
5. The appeal succeeds in part.

6. The affidavit filed on behalf of the respondent No.4 is taken on record.
7. Accordingly, the appeal and the application stand disposed of.
8. However, there shall be no order as to costs.
9. Urgent Photostat certified copy of this order, if applied for, be given to the parties on usual undertaking.

(Partha Sarathi Sen, J.)

(Soumen Sen, J.)